

**THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO**

**UNITED STATES OF AMERICA  
Plaintiff,**

**vs.**

**CASE NO. 3:09-CR-0390-02(ADC)**

**ERNESTO MENDEZ-ROMAN  
Defendant**

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**MOTION NOTIFYING VIOLATION OF SUPERVISED RELEASE CONDITIONS**

**TO THE HONORABLE AIDA DELGADO-COLON  
UNITED STATES DISTRICT JUDGE  
FOR THE DISTRICT OF PUERTO RICO**

**Comes now, U.S. PROBATION OFFICER JOSE BENITEZ** presenting an official report on the conduct and attitude of Mr. Ernesto Mendez-Roman, who on April 13, 2016 began his eight (8) years term of supervised release. The same is set to expire on April 12, 2024.

Since his release, Mr. Mendez-Roman has incurred in the following violations to his supervised release conditions:

**1. MANDATORY CONDITION NO. 1- “YOU MUST NOT COMMIT ANOTHER  
FEDERAL, STATE OR LOCAL CRIME.”**

**2. STANDARD CONDITION NO. 7- “THE DEFENDANT SHALL REFRAIN FROM  
EXCESSIVE USE OF ALCOHOL AND SHALL NOT PURCHASE, POSSES, USE,  
DISTRIBUTE, OR ADMINISTER ANY CONTROLLED SUBSTANCE OR ANY**

**PARAPHERNALIA RELATED TO ANY CONTROLLED SUBSTANCES, EXCEPT AS PRESCRIBED BY A PHYSICIAN.**

On September 16, 2021, Mr. Mendez-Roma was arrested by Puerto Rico Police Department (PRPD). Subsequently, criminal complaint has been filed for violation to the Law 4 Art. 404.A. Possession of marihuana

On November 10, 2021 Mr. Mendez- Roman will be present for the preliminary hearing under criminal number case N1VP202100778. Mr. Mendez- Roman remains on bail for further proceeding. Mr. Mendez-Roman has been available to USPO and remains in close communication with USPO notifying the process.

As a behavior intervention measure, he was verbally reprimanded through effective disapproval, and the U.S. Probation Officer will increase the level of supervision to closely monitor his compliance through personal and collateral contacts.

**WHEREFORE**, the undersigned respectfully prays that the Court take notice of the contents of this motion, and charges against Mr. Mendez-Roman while on supervised release it is respectfully requested that the Court do not take any action until the preliminary hearing is conducted. U.S. Probation Officer will notify this court of the outcome in the State preliminary hearing. More so, that upon disposition of the State case, he may be brought before this Court to show cause why his supervised released term should not be revoked.

In San Juan, Puerto Rico, this 4<sup>th</sup> day of November 2021.

Respectfully submitted,

LUIS O. ENCARNACION,

CHIEF U.S. PROBATION OFFICER

**s/Jose Benitez-Ramos**

Jose Benitez-Ramos

U.S. Probation Officer

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**CERTIFICATE OF SERVICE**

I certify that on this day, I electronically filed this motion with the Clerk of Court using the CM/ECF system, which will send notification of the filing to the parties.

In San Juan, Puerto Rico, this 4<sup>th</sup> day of November 2021.

**s/Jose Benitez-Ramos**

Jose Benitez-Ramos

U.S. Probation Officer